

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>69323/P008US/10610646</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US05/005254</b>	INTERNATIONAL FILING DATE <b>18 February 2005</b>	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/589,543</b>
TITLE OF INVENTION <b>METHOD AND APPARATUS FOR IDENTIFICATION OF BROADCAST SOURCE</b>		PRIORITY DATE CLAIMED <b>19 February 2004</b>
APPLICANT(S) FOR DO/EO/US <b>Avery L. Wang</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))		
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> has been communicated by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).		
a. <input type="checkbox"/> is attached hereto.		
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/589,543</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US05/005254</b>		ATTORNEY'S DOCKET NUMBER <b>69323/P008US/10610646</b>	
20. <input checked="" type="checkbox"/> Other items or information: <b>Certificate of Express Mailing, PTO Form SB/08, 1 Return Postcard</b>					
21. <input checked="" type="checkbox"/> The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$300				\$	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 All other situations ..... \$200				\$	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400 All other situations ..... \$500				\$	
<b>TOTAL OF 21, 22 and 23 =</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x 50.00	0.00	
Independent claims	- 3 =	0	x 200.00	0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	
				Amount to be refunded:	\$
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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
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A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-2380.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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CUSTOMER NUMBER: 000029053

  
SIGNATURE

Craig J. Cox  
NAME

39,643  
REGISTRATION NUMBER

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 568267487 US in an envelope addressed to:

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Transmittal Letter to the United States Designated-Elected Office (3 pages)  
PTO Form SB/08 (2 pages)  
Information Disclosure Statement (2 pages)  
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Docket No.:  
69323/P008US/10610646  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Avery L. Wang

Application No.: 10/589,543  
National Phase of PCT/US2005/005254

Confirmation No.: N/A

Filed: February 18, 2005

Art Unit: N/A

For: METHOD AND APPARATUS FOR  
IDENTIFICATION OF BROADCAST  
SOURCE

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Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an

Application No.: 10/589,543  
National Phase of PCT/US2005/005254

Docket No.: 69323/P008US/10610646

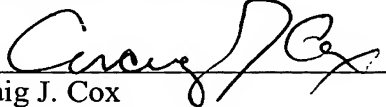
admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 06-2380, under Order No. 69323/P008US/10610646.

Dated: October 19, 2006

Respectfully submitted,

By 

Craig J. Cox

Registration No.: 39,643

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/589,543
				Filing Date	February 18, 2005
				First Named Inventor	Avery L. Wang
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	69323/P008US/10610646

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	5,210,820	May 11, 1993	Kenyon	
		4,450,531	May 22, 1984	Kenyon et al.	
		4,843,562	June 27, 1989	Kenyon et al.	
		5,918,223	June 29, 1999	Blum et al.	
		4,852,181	July 25, 1989	Morito et al.	
		5,276,629	Jan. 4, 1994	Reynolds	
		5,400,261	March 21, 1995	Reynolds	
		6,570,080	May 27, 2003	Hasegawa et al.	
		6,748,360	June 8, 2004	Pitman et al.	
		6,834,308	Dec. 21, 2004	Ikezoye et al.	
		4,415,767	Nov. 1983	Gill et al.	
		6,434,520	Aug. 2002	Kanevsky et al.	
		6,453,252	Sept. 2002	Laroche, Jean	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO 01/88900 A2	Nov. 22, 2001	Creative Technology Ltd.		
		WO 01/88900 A3	Nov. 22, 2001	Creative Technology Ltd.		
		WO 01/04870 A1	Jan. 18, 2001	Constantin Papaodysseus et al.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		J.T. Foote, "An Overview of Audio Information Retrieval." In ACM-Springer Multimedia Systems, Vol. 7 No. 1, pp. 2-11, ACM Press/Springer-Verlag, January 1999.	
		J.T. Foote, "Content-Based Retrieval of Music and Audio." In C.-C.J. Kuo et al., editor, Multimedia Storage and Archiving Systems II, Proc. Of SPIE, Vol.3229, pp. 138-147, 1997.	
		M.G. Brown, J.T. Foote, G.J.F. Jones, K. Sparck Jones, and S.J. Young, "Automatic Content - Based Retrieval of Broadcast News." In Proc. ACM Multimedia 95, San Francisco, November 1995.	
		Udi Manber, "Finding Similar Files in a Large File System." October 1993, Department of Computer Science, The University of Arizona, Tucson Arizona 85721.	
		Sharlene A. Liu, "Landmark detection for distinctive feature-based speech recognition," J. Acoust. Soc. Am. 100 (5), November 1996, pp. 3417-3430.	
		Matthew L. Miller et al., "Audio Fingerprinting: Nearest Neighbor Search in High Dimensional Binary Spaces," IEEE Multimedia Signal Processing Workshop 2002, St. Thomas, US Virgin	

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	69323/P008US/10610646
Sheet	2	of	2		

		Islands.	
		Erling Wold et al., "Content-Based Classification, Search, and Retrieval of Audio," in IEEE Multimedia, Vol. 3, No. 3: Fall 1996, pp. 27-36.	
		C. Yang, "Music Database Retrieval Based on Spectral Similarity," Stanford University Database Group Technical Report 2001-14, <a href="http://citeseer.ist.psu.edu/yang01music.html">http://citeseer.ist.psu.edu/yang01music.html</a> , submitted March 28, 2001, 9 pages, [Retrieved from the Internet on 6/6/05] [Retrieved from URL://http://citeseer.ist.psu.edu/yang01music.html]	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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